

A2 --62. The nucleic acid segment of claim 1, wherein the polyhydroxyalkanoic acid synthase protein is encoded by a sequence comprising SEQ ID NO: 1.

63. The nucleic acid segment of claim 1, wherein the fatty acid:acyl-CoA transferase protein is encoded by a sequence comprising SEQ ID NO: 2.--

A clean version of the pending claims is included as **Appendix B**.

REMARKS REGARDING AMENDMENTS

The specification has been amended to more clearly point out that according to one embodiment of the present invention, polyhydroxyalkanoic acid synthase protein is encoded by a sequence comprising SEQ ID NO: 1.

The specification has been amended to more clearly point out that according to one embodiment of the present invention, the fatty acid:acyl-CoA transferase protein is encoded by a sequence comprising SEQ ID NO: 2.

Support for the above amendments to the specification is found on page 21, lines 14-23. The GenBank Accession numbers for the sequences corresponding to SEQ ID NO: 1 and SEQ ID NO: 2 are given in the specification and it is well within the ability of one of ordinary skill in the art to access the sequence data using these accession numbers. The GenBank sequence data was simply compiled into the format of SEQ ID NO: 1 and SEQ ID NO: 2, and therefore, the above amendments to the specification do not constitute new matter.

Claims 1-63 are currently pending. Claims 62 and 63 have been added.

Claim 62 was added to claim one embodiment of the present invention wherein a polyhydroxyalkanoic acid synthase protein is encoded by a sequence comprising SEQ ID NO: 1.

Claim 63 was added to claim one embodiment of the present invention wherein a fatty acid:acyl-CoA transferase protein is encoded by a sequence comprising SEQ ID NO: 2.

Support for new claims 62 and 63 is found on page 21, lines 14-23. As described above, it is well within the ability of one of ordinary skill in the art to access the sequence data using the GenBank accession numbers disclosed in the specification.

STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.821(f)

Submitted herewith is a computer readable form and a paper copy of the sequence listing of those sequences in the captioned patent application. The computer readable form of the sequence listing is the same as the paper copy of the sequence listing. The sequence information corresponding to the GenBank accession numbers provided in the Specification is also the same as the sequence listing of the enclosed computer readable and paper forms of the sequence listing. The enclosed sequence listing does not constitute new matter.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned representative at the number indicated.

Respectfully submitted,



Patricia A. Kammerer

Reg. No. 29,775

Attorney for Assignee
Monsanto Company

HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1400

Date:

April 11, 2001